MGN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO.7236 of 2006

Smt. Ayesha Nisar Momin ..Petitioner

Versus

The State of Maharashtra & ors...Respondents

Mr. D.V. Sutar, for the Petitioner.
Mr. R.D. Rane, Govt. Pleader for respondents.

CORAM : F.I. REBELLO &
R.M.SAVANT, JJ.
DATED : 9TH MARCH, 2007.

P.C.

. The petitioner's husband was convicted for offence under the Prevention of Corruption Act. The petitioner's husband has preferred Appeal, which has been admitted. However, there is no suspension of conviction. In the meantime the husband expired. The petitioner contents that under Rule 130 M.C.S. (Pension) Rules, she is entitled to provisional pension. We are not inclined to exercise our extra ordinary jurisdiction. If the Appeal is allowed and the husband of the petitioner is acquitted, it will then be open to the petitioner to take such steps in law which she is entitled to take.

(**F.I.REBELLO**, J)

(**R.M.SAVANT,J**.)